

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 137 OF 2006

Shri Sadik Babu Shaikh.	...Applicant
V/s.	
The State of Maharashtra.	...Respondent

Mr.Pranali Kakade for Applicant.
Mr.Y.S. Shinde, APP for State.

CORAM : V.M. KANADE, J.

DATED : JANUARY 30, 2006

P.C. :-

. Heard learned Counsel for the applicant and learned APP for the State.

. The applicant is arrested in connection with an offence punishable under Sections 376, 363, 201, 506(1) of the IPC vide C.R.No.299/2005 which is registered with Pimpri Police Station.

2. It is alleged that the applicant had kidnapped the girl and had committed an offence of rape. It is submitted that applicant and the prosecutrix had love affair as the prosecutrix has written letters to the applicant asking him to meet her which are annexed to the application. The chargesheet has been filed. The

evidence regarding age of the prosecutrix will have to be considered at the time of final hearing of the trial. Prima facie, it does appear that the prosecutrix was consenting party which is evident from the letters which are annexed to the application. The applicant is, therefore, entitled to be released on bail.

3. The applicant be released on bail in the sum of Rs.5000/- with one or two sureties in the like amount, however, he shall not enter the jurisdiction of Pimpri Police station till the trial is over and shall report to the nearest police station from his residence. The applicant shall give address of new residence to the Jail Superintendent before he is released on bail.

4. The trial Court shall not be influenced by any observations made by this Court while deciding his application.

. The application is disposed of in the above terms.

(V.M. KANADE, J.)